

REMARKS

This is responsive to the Office Action mailed September 8, 2006. Accordingly, it is accompanied by a petition to extend the time for response by 3 months, together with the required fee.

Section 103 Rejections

Claims 42 - 49, 52, 54 - 60, 62 - 67, and 79 - 81 stand rejected under 35 USC §103(a) as being unpatentable over Rassman et al., U.S. Patent No. 4,937,743 ("Rassman") and Subas et al., U.S. Patent No. 5,247,438 ("Subas"). Essentially, the Examiner asserts that Rassman discloses the claimed invention except for clicking in the appointment time-spaces to schedule an appointment, and that Subas supplies the missing teaching. The Examiner states that a person of ordinary skill would have been motivated to combine the teachings "for the advantage of scheduling events without the need to bring up a secondary menu screen Furthermore, Rassman invites such a simple interface . . . taught as the inputting, modifying, handling, and accessing of data through known methods and techniques, such as selecting an area on a display with a mouse" Applicant respectfully traverses the rejections.

It is agreed that it was well known in the art at the time the present application was filed to use a mouse to navigate a display and to select an area on the display by clicking on the area. However, this is not particularly pertinent. What is pertinent is what the references teach or suggest.

Rassman

Rassman does not select an appointment by clicking. It selects an appointment by entering the appointment, using standard data entry means, into the system. Until the appointment is entered

using standard data entry means, there is no space associated with an appointment to click on in the first place.

Subas

Subas functions as follows:

- 1) [E]vent description fields 47, 48, 49 “provide for entering the text of an event description . . . on an event description line associated with an event time bar located in the adjacent Gantt chart event time bar fields 51, 52, 53.” Col. 6, lines 44 - 48.
- 2) “[A] single click on an empty space in the event description fields causes the program to build a time bar in the event time bar field which is associated with the new event description.” Col. 7, lines 37 - 40.
- 3) “[T]o schedule an event, first the start time of the event is selected by clicking on the respective closest time slot to the desired start time To select an end time, the user clicks on the slot time closest to the desired end time The clicking on the spaces will also cause the beginning slot time to be blackened in and the end slot time to be blackened in and all slot times between the beginning and end slot time to be blackened in.” Col. 7, line 59 - Col. 8, line 6.
- 4) “Simultaneously, the corresponding slot times on the composite conflict time bar 46 will be blackened in. If any portion of the composite conflict time bar being blackened in has already been blackened, then, as seen on the conflict time bar 46 in FIG. 2, the program causes this portion to be shaded differently so that the conflict is visually apparent.”
- 5) “When a conflict is apparent, a new time for scheduling a particular event can be easily set by clicking again on the blackened in portion on the event time bar to deselect or remove this visual marker [referring to the shading of the conflict time bar described in the immediately preceding sentence]. A new time slot is then selected following the above-described procedures.” Col. 8, lines 12 - 17.

Subas teaches scheduling events by inputting the starting and ending times for the events into the system. It is noted, however, that Subas is a personal calendar and does not have the capability of communicating with other persons with whom appointments may be scheduled.

In any event, Subas teaches that there may be conflicts in scheduled appointments, and that is advantageous to indicate such conflicts to the user. Subas teaches that the user can resolve a

conflict by first clicking on an event time bar corresponding to one of the conflicting scheduled appointments and then inputting new starting and/or ending times for the appointment. The clicking removes a visual indication of the conflict provided in the conflict time bar, and the inputting of the new time(s) re-schedules the appointment.

Claim 42 distinguishes over Subas at least because the claimed clicking “thereby schedule[s] the corresponding appointment.” In Subas, either scheduling or re-scheduling an appointment requires, in addition to clicking, entering starting and ending times for the appointment.

Neither Rassman nor Subas contemplates a system that provides for clicking on a pre-existing display space representative of a potential appointment to schedule the appointment. Rassman is entirely conventional in regard to the manner in which appointments are defined. Subas is less conventional, and contemplates overlaps in calendared events. However, Subas sees these overlaps as conflicts requiring correction, not alternatives requiring a mere selection, and so lacks motivation to provide the features claimed.

The Examiner suggests that the motivation to modify Subas would flow from a desire to simplify the interface. But while it is always desirable to simplify as much as possible, simplification cannot be taken to the point that required functionality is lost. MPEP 2145(X)(D).

There is no teaching or suggestion in Subas, or in any of the other references of record, as to how one would simplify the Subas interface to avoid the need for the user to input his or her desired starting and ending times for the events being calendared. Since the user defines these times, the system would not know them in advance, and the user would be required to enter them into the system. Clicking is not a sufficient means for entering this information. Therefore, modifying

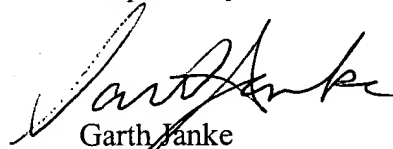
Subas as proposed would eliminate functionality that Subas teaches, or at least suggests, is required, violating MPEP 2144(X)(D).

New claim 83 makes another distinction over Subas, i.e., the provision of a visual indication that is distinctive of the claimed selection. This distinguishes over Subas for two reasons.

First, the visual indication of conflict in Subas is made in the conflicts time bar and not in the event time bars. So the conflicts time bar cannot indicate which of the event time bars has been selected for editing, and the visual indication is therefore not distinctive of the selection.

Second, the visual indication in Subas is provided as a result of clicking on the space, before scheduling (i.e., before the entry of new starting and/or ending times) is accomplished. Therefore, it is not an indication of a selection according to the claims which “thereby” schedules the corresponding appointment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Garth Janke', is written over the printed name.

Garth Janke
Reg. No. 40,662
(503) 228-1841